

16.04.2026
Court No.35.
D/L. 25.
Kausik
(Allowed)

CRM (M) 537 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Krishnanagar
Women Police Station Case No. 139/2025 dated 24.11.2025
under Sections 126(2)/115(2)/3(5) of the BNS, 2023 read with
Sections 9/10 of the Prohibition of Child Marriage Act and
Section 6 of POCSO Act.

And

In the matter of : XXXXX

.....Petitioner.

Mr. Tapodip Gupta

.....for the Petitioner.

Mr. Sumanta Das

....for the Defacto Complainant.

Mr. Bidyut Kumar Ray
Mr. Ashok Das

.....for the State.

Report submitted by the State be kept with the record.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody since 4th December, 2025. The
victim is presently having a child of 5 years and is above the
age of 18 years. The incident complained of is of 6 years ago.
Presently the case has been instituted after a marital dispute
cropped up between the victim and the in-laws of the present
petitioner.

Learned advocate for the defacto complainant is present
and opposes the prayer for bail.

Learned advocate for the State opposes the prayer for bail and submits that there is statement of the victim under section 183 of the BNSS as also the Medico Legal Examination Report.

Having considered the materials and prima facie reflecting that the complaint was initiated because of marital dispute and the incident complained of is 6 years ago, I am of the view further detention of the present petitioner is unwarranted.

However, this observations are only limited for the purposes of bail and the learned Trial Court would in course of trial rely on the merits of the case as it deems fit and proper.

Accordingly, the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of Judge, Special Court, under POCSO Act, Krishnanagar Nadia.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Nadia without the prior permission of the Learned Special Court.

Accordingly, CRM (M) 537 of 2026 is **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)